

SLT:TJS
F. #2011R00736/OCDEF #NY-NYE-673

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

SENTENCING SHEET

- against -

11 CR 793 (WFK)

LORIAN MOSKOWITZ,

Defendant.

- - - - -X

The government respectfully submits this sentencing sheet to inform the Court of its present position regarding the potential statutory penalties and the application of the Sentencing Guidelines to this case. The following is set forth below for informational purposes only, and forms no part of any plea agreement between the United States Attorney's Office (the "Office") and the defendant. Neither the Office nor the Court is bound by anything set forth below, and the Office reserves the right to change its position at any time.

1. Statutory penalties

COUNT ONE: Conspiracy to Distribute Oxycodone

This count carries the following statutory penalties:

- a. Maximum term of imprisonment: twenty years
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C)).
- b. Minimum term of imprisonment: zero years
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C)).
- c. Minimum supervised release term: three years,
maximum supervised release term: life, to

follow any term of imprisonment; if a condition of release is violated, the defendant may be sentenced to up to two years without credit for pre-release imprisonment or time previously served on post-release supervision
(18 U.S.C. § 3583(e); 21 U.S.C. § 841(b)(1)(C)).

- d. Maximum fine: \$1,000,000
(21 U.S.C. § 841(b)(1)(C)).
- e. Restitution: Not applicable.
- f. \$100 special assessment.
(18 U.S.C. § 3013).
- g. Other penalties: Criminal forfeiture

2. Estimated Sentencing Guidelines Calculation:

- a. Base Offense Level: (U.S.S.G. 2D1.1(c)(4))
(Between 1,000 and 3,000 kilograms of marijuana, based on over 150 grams of oxycodone) 32

Adjusted Offense Level 32

Total: 32
- b. Estimated Criminal History Category: I

c. Estimated range of imprisonment: 121-151 months

Dated: Brooklyn, New York
November 23, 2012

LORETTA E. LYNCH
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By: /s/
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